

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

National Stage Application  
 Applicant : Lajos SIMON  
 International Application No. : PCT/HU02/00159  
 International Filing Date : December 20, 2002  
 National Stage Application No.: 10/501,674  
 National Stage Filing Date : July 16, 2004  
 For: DEVICE FOR REDUCING:  
       THE VOLUME OF :  
       BOTTLES MADE OF :  
       PLASTIC MATERIAL :  
 TC/A.U. : To Be Assigned  
 Examiner : To Be Assigned  
  
 Docket No. : 7862/84083  
 Customer No. : 42798

Commissioner for Patents  
 U.S. Patent and Trademark Office  
 220 20<sup>th</sup> St S.  
 Customer Window, **MS PCT**  
 Crystal Plaza Two, Lobby, Room 1B03  
 Arlington, VA 22202

January 13, 2005

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN  
 THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

This is a response to the above identified NOTICE dated 12/17/2004, a copy of which is attached.

The above mentioned Notice indicates that an Oath or Declaration by the inventor must be filed and a surcharge of \$65.00 for late filing of the Declaration must be paid in order to prevent abandonment of the present national stage application. However, according to the file of undersigned counsel, the present application was filed on July 16, 2004 with an inventor's Declaration, and a copy of the Declaration, as filed, from undersigned counsel's file is additionally attached. That the application was filed with a Declaration on July 16, 2004, is evidenced by the attached copy of the transmittal letter for the application, which on line 9

*Declaration  
 mail in  
 on filing*

indicates the presence of an oath or declaration of the inventor, and by the likewise attached copy of the filing receipt postcard for this application, which is stamped with the above identified application number and filing date and which indicates that a Declaration was filed.

Under the above circumstances, it is submitted that the application was complete when filed on July 16, 2004, and that the requirements of the enclosed NOTICE should be withdrawn. Moreover, should the originally filed have been misplaced, then it is requested that the enclosed Declaration be substituted therefore.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: 

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/501,674	FIRST NAMED APPLICANT Lajos Simon	ATTY. DOCKET NO. 7862/84083
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**RECEIVED**

DEC 22 2004

**FETF. D.C.**

INTERNATIONAL APPLICATION NO.
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PCT/HU02/00159

LA. FILING DATE 12/20/2002	PRIORITY DATE 01/16/2002
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CONFIRMATION NO. 2307

371 FORMALITIES LETTER



\*OC000000014746552\*

Date Mailed: 12/17/2004

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/16/2004
- Copy of the International Search Report filed on 07/16/2004
- Copy of IPE Report filed on 07/16/2004
- Preliminary Amendments filed on 07/16/2004
- Information Disclosure Statements filed on 07/16/2004
- Request for Immediate Examination filed on 07/16/2004
- Copy of references cited in ISR filed on 07/16/2004
- U.S. Basic National Fees filed on 07/16/2004
- Priority Documents filed on 07/16/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 305-3737

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,674	PCT/HU02/00159	7862/84083

DT02 Rec'd PCT/PTO 16 JUL 2004

NINR/PT  
Date: July 16, 2004  
Atty Docket: 7862/84083

Applicant(s): Lajos SIMON

Appl. No.: New National Stage Application

Filed: Herewith

For: DEVICE FOR REDUCING THE VOLUME OF BOTTLES MADE OF  
PLASTIC MATERIAL

10/501674

Paper(s) filed:

- 1) Transmittal Letter of National Phase Filing (in duplicate)
- 2) Application Data Sheet
- 3) Preliminary Amendment
- 4) Declaration
- 5) 10-page Application
- 6) Information Disclosure Statement with Form PTO/SB/08A and copies of cited references and International Search Report
- 7) 5 sheets drawings (Figs. 1-5)

BEST AVAILABLE COPY

PLEASE RETURN WITH APPLICATION NUMBER